BILL NO. S-82-06-2 7

1.5

SPECIAL ORDINANCE NO. S- 1/9-85

AN ORDINANCE approving Resolution No. 72-10-35, Optional Cash Payment in Lieu of Monthly Special Capital Surcharge Payments, for the Board of Public Works.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Resolution No. 72-10-35, dated

June 16, 1982, by the Board of Public Works of the City of

Fort Wayne, Indiana providing that the sewage works owned

and operated by the City of Fort Wayne, Indiana be authorized

to accept a single cash payment of Four Hundred and No/100

Dollars (\$400.00), in lieu of the monthly charge of Four and 65/100

Dollars (\$4.65) levied by the Common Council of the City of

Fort Wayne, Indiana from users subject to such monthly charge,

provided, that such cash payment is made prior to August

31, 1982, all as more particularly set forth in said Resolution,

which is on file in the Office of the Board of Public Works

and is by reference incorporated herein, made a part hereof,

be and the same is in all things hereby ratified, confirmed

and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and the legal publication thereof.

Councilmember

APPROVED AS TO FORM

AND LEGALITY

Bruce O. Boxberger, City Attorney

| Read the firseconded by by title and reference legal notice Indiana, on | erred to the for recommend, at the Coun | ull and on m , and du Committee ation) and P cil Chambers , the , 19, at_ | otion by | o'clock | .M.,E.S.T. |
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REPORT OF THE COMMITTEE ON CITY UTILITIES

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DATE CHARGE IN

WESTERMAN, CITY CLERK

RESOLUTION NO. 72-10-35

Optional Cash Payment in Lieu of Monthly Special Capital Surcharge Payments

WHEREAS, the Common Council of the City of Fort Wayne has heretofore enacted a Special Capital Surcharge of \$4.65 per month to be paid by certain users discharging wastes into the sewage systems acquired by the City and which are located in St. Joseph and Washington Townships, Allen County, Indiana; and

WHEREAS, said monthly surcharge remains in full force and effect until the principal and interest and other costs associated with financing the purchase of said sewage systems have been fully amortized; and

WHEREAS, certain users subject to said monthly surcharge have requested the option to pay cash in advance, discounted for the present value of said cash payment, in lieu of paying principal, interest and costs to maturity; and

WHEREAS, the City's financial consultant, Bernard T. Perry, who is currently proposing issuance of sewage works revenue bonds to refund bank loans incurred to pay the purchase costs of said sewage systems which are to be amortized by the monthly surcharge of \$4.65, has advised the Board of Public Works that the discounted present value of said monthly payments is \$400 cash, if paid prior to September 1, 1982,

NOW, THEREFORE, BE IT RESOLVED, in consideration of the foregoing findings of the Board, as follows:

- 1. The sewage works owned and operated by the City is hereby authorized to accept a single cash payment of \$400, in lieu of the monthly charge of \$4.65 heretofore levied by the Common Council, from users subject to such monthly charge, provided, however, that such cash payment is made prior to August 31, 1982.
- 2. In the event a user adopts the option of making said one-time cash payment in lieu of said monthly payments referred to herein, the sewage works is hereby authorized to reduce the cash payment required by any monthly payments made by user in the interim.

Adopted this 16 th day of June 1982.

BOARD OF PUBLIC WORKS

Stephen Bailey, Chairman

Betty R. Collins. Member

A TT D CT .

Sandra Kennedy, Clerk

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| TITLE OF ORDINANCE | Resolution 72-10-35 |
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| DEPARTMENT REQUESTING ORD | NANCE Board of Public Works |
| SYNOPSIS OF ORDINANCE T | ne sewage works owned and operated by the City is hereby |
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| ASSIGNED .TO COMMITTEE | |
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The City of Fort Wayne

OFFICE OF THE CITY CLERK

Charles W. Westerman, Clerk — Room 122

July 14, 1982

Ms. Judy High Fort Wayne Newspapers, Inc. 600 West Main Street Fort Wayne, IN 46802

Dear Ms. High:

Please give the attached full coverage on the dates of July 21 and July 28, 1982, in both the News Sentinel and Journal Gazette:

RE: Legal Notice for Common Council of Fort Wayne, Indinaa

Bill No. Z-82-06-23 Zoning Map Ordinance No. Z-15-82

Bill No. G-82-04-17 General Ordinance No. G-14-82

Bill No. S-82-06-28 Special Ordinance No. S-119-82

Please send us 14 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman

City Clerk

CWW/ne ENCL: 1 Notice is hereby given that on the 13th day of July, 1982, athe Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the follwoing Bill No. Z-82-06-23 -- Zoning Map Ordinance No. Z-15-82 --AN ORDINANCE amending the City of Fort Wayne Zoning Map No. H-15

Notice is hereby given that on the 13th day of July, 1982, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. G-82-04-17 -- General Ordinance No. G-14-82--AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain easement

Notice is hereby given that on the 13th day of July, 1982, the Common Council of thecity of Fort Wayne, Indiana, in Regular Sssion did pass the following Bill No. S-82-06-28 -- Special Ordinance No. S-119-82 --AN ORDINANCE apprvoing Resoltuion No. 72-10-35, Optional Cash Payment in Lieu of Monthly Special Capital Surcharge Payments, for the Board of Public Works

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-82-06-23 - Zoning Map Ordinance Z-15-82; Bill No. G-82-04-17 -- General Ordinance No. G-14-82 and Bill No. S-82-06-28 -- Special Ordinance No. S-119-82 were passed by the Common Council on the 13th day of July, 1982, and said Ordinances were signed and approved by the Mayor on the 14th day of July, 1982, and remains on file and on record in my office.

Copies of Bill No. Z-82-06-23 -- Zoning Map Ordinance No. Z-15-82; Bill No. G-82-04-17 -- General Ordinance No. G-14-82 and Bill No. S-82-06-28 -- Special Ordinance No. S-119-82 will be posted for reading in the following places in Fort Wayne, Allen County, Indiana

- (1) The main floor of the City-County Building
- (2) The bulletin board in the lobby of Downtown Fort Wayne Public Library

(3)

The bulletin board in the lobby at the East door of the Allen County Court House

Copies of Bill No. Z-82-06-23 -- Zoning Map Ordinance No. Z-15-82; Bill No. G-82-04-17 -- General Ordinance No. G-14-82 and Bill No. S-82-06-28 -- Special Ordinance No. S-119-82 will be available for reading in the following places in Fort Wayne, Allen County, Indiana

- Reference Room in the north end of the the main floor in said Downtown Public Library
- (2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana Co. W. Wieterman

Charles W. Westerman, City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated on July 21, 1982.

ule W. Mosternan Charles W. Westerman, City Clerk

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| mon Council of the Weyna, Indiana, in | e City of of the City Clark of F | in the Office ort Wayne, In- | 7/01 - 7/09 | |

7-21-28

November 29, 1985

My commission expires.

| Form Prescribed by State Board of Account | s | Gene | ral Form No. 99 P(Rev. 1967 |
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